

REMARKS

The office action of May 8, 2003 has been reviewed and its contents carefully noted. Claim 12 is amended herein. Reconsideration of this case, as amended, is requested. Claims 1 through 12 and 14 remain in this case.

Rejection under 35 U.S.C. §102

Claim 12 was rejected under 35 U.S.C. 102(b) as being anticipated by Normanni (6,531,818).

Applicant respectfully disagrees.

Normanni is not prior art to the present application, and therefore does not anticipate claim 12. Specifically, the present application is a divisional application of Serial Number 09/299,371, filed April 26, 1999. The filing date for the Normanni patent is July 12, 2000, with a foreign priority date of July 13, 1999. Since July 13, 1999 is after the filing date of the parent application for this case, Normanni is not prior art. The Applicant's agent spoke to the Examiner on May 14, 2003 regarding this rejection, and the Examiner agreed that the Normanni patent was not prior art to the present application. Reconsideration and withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. §103

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Riley et al. (4,195,892) in view of Brabham (5,288,255). Applicant respectfully disagrees.

Please note that claim 12 was amended to format the claim to parse out the existing limitations into subparagraphs. No new elements were added, but the sealing of the glass frit was more clearly defined.

As amended, claim 12 recites "a glass frit that is forced to flow between the glass washer and the flat panel display such that a seal between the vacuum tube and the flat panel display is created." Riley does not teach using a glass washer to force a glass frit to flow into a panel tube junction. Riley instead teaches the traditional art of placing a glass frit at the tube/panel junction and heating the glass frit up until it flows under its own weight. The master plate with a hole in

Riley is used as a setter to keep several panels flat during the frit sealing process and the holes in the master plate are only used as a path to be able to connect the vacuum tube to the plasma panel. The master plate with the holes never touches the glass frit, as in claim 12.

Brabham (US 5,288,255) teaches placing a ceramic washer over a "tubular shaped niobium current lead-in member 9" (Column 2, lines 51-56) to help flow a glass MgO frit to seal to the metal niobium wire. Brabham claims that it is to stop the leakage and evaporation of the magnesium from the glass seal (Column 1, lines 51-61). This is not sealing a glass evacuation tube to a glass plate for a plasma display, but making a better glass to metal seal for a high-pressure discharge lamp.

The examiner does not state a prima facie argument as to why one skilled in the art of plasma displays would be motivated to use a washer made of a dissimilar material in a plasma display. The art cited is non-analogous, there is no motivation to combine the teachings and even if there were the addition of a ceramic washer to Riley et al.'s device, it would not result in the recited plasma display.

For these reasons, claim 12 is believed to be patentable over the cited references. Reconsideration and withdrawal of the rejection of claim 12 is respectfully requested.

Allowable Subject Matter

Applicant respectfully thanks the Examiner for allowing claims 1-11 and 14.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:
Chad Moore

By: 

Christopher A. Michaels, Reg. No. 34,390
Attorney for Applicant

BROWN & MICHAELS, P.C.
400 M&T Bank Building - 118 N. Tioga St.
Ithaca, NY 14850
(607) 256-2000 • (607) 256-3628 (fax)
e-mail: michaels@bpmlegal.com
Dated: September 8, 2003

RECEIVED
CENTRAL FAX CENTER

SEP 09 2003

OFFICIAL